

REMARKS

Applicants thank the Examiner for the very thorough consideration given the present application. Claims 2-4 and 9-13 are currently pending in this application. Claims 1 and 5-8 have been cancelled. No new matter has been added by way of the present amendment. For instance, claim 13 has been rewritten in independent form. The dependency of claims 2-4 and 9-12 has been amended. Accordingly, no new matter has been added.

At the outset, the present application is believed to be in condition for allowance. Entry of the accompanying amendment is requested under 37 C.F.R. §1.116, as the amendment does not raise any new issues which would require further search and/or consideration by the Examiner. Furthermore, Applicants request entry of this amendment in order to place the claims in better form for consideration on Appeal.

In view of the amendments and remarks herein, Applicants respectfully request that the Examiner withdraw all outstanding rejections and allow the currently pending claims.

Issues Under 35 U.S.C. § 103(a)

Claims 1-4 and 10-12 stand rejected under 35 U.S.C. §103 (a) as being obvious over Ducker et al. (U.S. 5,938,649) (hereinafter Ducker ‘649). Claims 5-9 stand rejected as obvious over Ducker ‘649 in view of Hoshino et al. (U.S. 6,685,953) (hereinafter Hoshino ‘953) further in view of Ptchelintsev et al. (U.S. 5,834,513) (hereinafter Ptchelintsev ‘513). Applicants respectfully traverse.

Claims 1 and 5-8 have been cancelled by way of the present amendment. Accordingly, the rejection of these claims is moot.

Claims 2-4 and 9-12 now depend on claim 13, which the Examiner identified as containing allowable subject matter. As such, all presently pending claims are in condition for allowance.

Reconsideration and withdrawal of this rejection are respectfully requested.

Allowable Subject Matter

The Examiner has indicated that claim 13 would be allowable if rewritten in independent form.

Applicants thank the Examiner for the indication of allowable subject matter. Claim 13 has been rewritten in independent form. Claims 2-4 and 9-12 now depend on claim 13. As such, Applicants submit that all pending claims are in condition for allowance.

A Notice of Allowability is thus respectfully requested.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and objections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John W. Bailey, Reg. No. 32,881 at

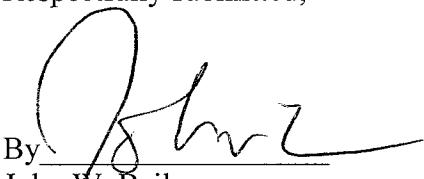
the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

Dated: March 1, 2010

Respectfully submitted,

By


John W. Bailey
Registration No.: 32,881
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant